

REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

An Information Disclosure Statement was submitted on September 26, 2006. Applicants request that an initialed PTO-1449 form be returned with the next office action.

Applicants' representative wishes to thank Examiners Erb and Hayes for the courtesy extended during the interview regarding this application. The substance of the interview is reflected in the following remarks.

Claims 1-3, 6, 8, 9 11, 13, 14 and 24-26 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Fenstemaker et al. (U.S. Patent No. 6,490,684) in view of Swix et al. (U.S. Patent No. 6,609,253).

Applicants respectfully submit that Fenstemaker et al. and Swix et al., taken either individually or in combination, do not disclose or suggest, among other things, the concept of postponing the expiration of a trial period of a function if a control section detects expiration of the trial period during execution of a job. Applicants therefore traverse the rejection and the "response to arguments" presented in the office action and incorporate herein the arguments presented in the prior response. Applicants provide the following additional remarks.

At the interview, Examiner Erb expressed the view that the "grace period" mentioned at col. 4, line 40 of Swix et al. can be viewed as an extension beyond a "trial period", which "trial period" can be viewed as corresponding to the normal movie viewing time in Swix et al. See also 9/6/2006 Office Action at page 2. Applicants' representative suggested that only with improper hindsight would the "grace period" of Swix et al. be viewed in this manner. Moreover, Applicants' representative noted that the claims require detection of the end of the trial period and there is no disclosure or suggestion whatsoever in Swix et al. that the expiration of, for example, a one-hour movie time is detected to determine whether the "grace period" is provided.

After further discussion, Examiner Erb suggested that Swix et al. may possibly be distinguished by amending the claims to describe what happens if the control section detects expiration of the trial period during execution of a job thereof and what happens if the control section detects expiration of the trial period when no job is being executed. Applicants have

adopted this suggestion and claims 1, 24, 25 and 26 have been amended accordingly. Entry of these amendments is respectfully requested. Applicants respectfully submit that, inasmuch as the viewing window of Swix et al. is determined at the beginning of the movie and there is no provision for extending this viewing window when it ends, Swix et al. does not disclose or suggest the feature of claim 1 wherein:

if said control section detects expiration of the trial period for the function during execution of a job thereof, the trial period for the function being set according to the instruction received by said trial instruction giving section, then said control section postpones the expiration of the trial period for the function until the time the job of the function is actually completed and if said control section detects expiration of the trial period for the function when no job is being executed, the trial period terminates with no postponement.

Consequently, claim 1 patentably distinguishes over the proposed combination of Fenstermaker et al. and Swix et al. Claims 24, 25 and 26 are believed to patentably distinguish over these references for similar reasons.

The remaining applied documents do not remedy the deficiencies of Fenstermaker et al. and Swix et al. with respect to postponing the expiration of the trial period of a function. These remaining documents are also deficient with respect to various ones of the dependent claims at least for the reasons noted in the prior response, which reasons are incorporated herein.

The pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,
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